

**Court of Appeals, State of Michigan**

**ORDER**

Jacqueline Brooks v Bruce Campbell Dodge Inc

Docket No. 293039

LC No. 08-116907-NO

Cynthia Diane Stephens  
Presiding Judge

Michael J. Talbot

Christopher M. Murray  
Judges

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The Court orders that the motion for immediate consideration is GRANTED.

The motion for peremptory reversal pursuant to MCR 7.211(C)(4) is DENIED for failure to persuade the Court of the existence of manifest error requiring reversal and warranting peremptory relief without argument or formal submission.

Judges Talbot and Murray state that they would have granted peremptory reversal and remanded for entry of judgment in favor of defendant because there is no genuine issue of material fact regarding the open and obvious nature of the substance on which plaintiff allegedly slipped and fell. See *Riddle v McLouth Steel Products Corp*, 440 Mich 85, 96; 485 NW2d 676 (1992).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**NOV 23 2009**  
Date

*Sandra Schultz Mengel*  
Chief Clerk